

Notice of Allowability

Application No.

09/804,258

Applicant(s)

CHIU, HUNG-CHE

Examiner

Thomas M. Ho

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/21/05.
2. ☒ The allowed claim(s) is/are 1-3 and 7.
3. ☒ The drawings filed on 13 March 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. The amendment of 1/21/05 has been received and entered.
2. Claims 1-3, 7 are pending.

Reasons for Allowance

3. In light of further examination, the Examiner reverses the position held with reference to the motivation to combine with regards to the rejection of claim 6 under 35 USC 103(a) in the non-final rejection of 9/24/04. Indeed, the ANSI ASCII character set was well known in the art at the time of invention. However in the previous action, the Examiner recited: "Rarely if ever are characters in a computer stored in decimal format. Instead values are stored as binary which, when grouped into fours are rewritten as the well known hexadecimal notation of base 16." The Examiner continues to maintain that position as true, however, the Examiner notes that that in itself does not provide motivation to convert each unit character string into a decimal value, and then convert each decimal value into a hexadecimal value. Indeed, the middle conversion of binary into a decimal value would be extraneous, as binary can be converted straight into hexadecimal as is to the Examiner's understanding, more frequently performed. The Examiner's previous assertion would in fact, teach away from steps b) and c) in the previous action.

Additionally, those steps were recited as part of a "pre-compressor for compression of transmission data", which applicant has now amended into claim 1, suggesting that the step of "converting each said unit character string into a decimal value" and then "converting each said

decimal value into a unit character string of hexadecimal characters” is a necessary intermediary step for the proper functioning of Applicant’s “pre-compressor”.

The key shadows and the original key(recited in claim 1), divided into a plurality of these key shadows, and the characteristic that the original key is restored only when a selected number of key shadows are combined, is disclosed by, Saito, US patent, 6002772, (Column 6, line 35-Column 7, line 38) where the key shadows are partial secret keys ks11 and ks12, the original key is ks1. However, Saito fails to disclose an embodiment wherein the original key is non-recoverable when said original key is lost or destroyed. Saito (Column 7, lines 22-23) recites, “if data content name and user data I1 are available, KS1 can be generated again...”, which is contrary to Applicant’s limitation.

For the above reasons, the claims are allowable.

Examiner’s Comment

4. The Examiner notes that Applicant has recited the limitation in claim 1, “randomly generating an ideal key” and “generating a second set of keys which are in high demand and are frequently updated by a pseudo-random process.” For the record, it is the Examiner’s position that there is no distinction between a pseudo-random process and a random process. It is commonly understood in the art that a true random process for the matters of key generation is impossible. All digital random generation of numbers is understood by those in the art to be

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“pseudo-random”. No rejection or objection shall be given however, because both terms are frequently used and cited in the art with a common understanding of what is meant.

Conclusion

5. Any inquiry concerning this communication from the examiner should be directed to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be reached on M-F from 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached on (571)272-3838.

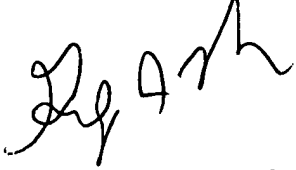
The Examiner may also be reached through email through Thomas.Ho6@uspto.gov

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

General Information/Receptionist	Telephone: 571-272-2100	Fax: 703-872-9306
Customer Service Representative	Telephone: 571-272-2100	Fax: 703-872-9306

TMH

April 13th, 2005


GREGORY MORSE
SUPERVISOR
TECHNICAL EXAMINER
APR 20 2005